

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26322 of 2022

Arising Out of PS. Case No.-40 Year-2019 Thana- BIHTA District- Patna

UJJWAL @ UJJAWAL KUMAR @ AWANISH Son of Late Madan Mohan
Sharma @ Madan Mohan Resident of Village - Bhelura Rampur, P.S.-
Janipur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-06-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 387, 120B, 341, 448, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the allegation against the petitioner is of having demanded ransom of Rs. 5 lacs.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 21.10.2021 (Annexure-1) passed in Cr. Misc. no. 19030 of 2021 directing the learned trial Court to expedite the trial and to conclude the same preferably within a period of 6 months.

It is submitted that inspite of the petitioner being in



custody since 20.4.2019 only one witness has been examined on behalf of the prosecution. There is no chance of the trial concluding in the near future and the petitioner undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation and the petitioner having remained in custody for more than 3 years, the Court directs the petitioner to be enlarged on bail in connection with Bihta P.S. Case no. 40 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Danapur, District Patna.

It is directed that the petitioner shall cooperate in the trial in the learned trial Court and shall remain physically present in Court on each date of the trial. In case, the learned trial Court is of the opinion that the trial is being delayed due to noncooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

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(Partha Sarthy, J)

